

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Advanced Methods to Target and Eliminate)	CG Docket No. 17-59
Unlawful Robocalls)	

**COMMENTS OF
NCTA – THE INTERNET & TELEVISION ASSOCIATION**

NCTA – The Internet & Television Association (“NCTA”)¹ submits these comments in response to the Further Notice of Proposed Rulemaking in the above-captioned docket.² We applaud the Commission’s recent action to help combat illegal robocalls by “giv[ing] voice service providers the option of blocking illegal robocalls in certain, well-defined circumstances.”³ As we have previously stated, blocking of certain categories of robocalls by voice service providers can be an important part of the solution to the illegal robocalls problem.⁴ In this dynamic area, where criminals rapidly change their approach to robocalling on a frequent basis, the voluntary nature of the Commission’s approach is key to helping address the problem and to promote implementation by voice service providers.

¹ NCTA is the principal trade association for the U.S. cable industry, representing cable operators serving approximately 85 percent of the nation’s cable television households and more than 200 cable program networks. The cable industry is the nation’s largest provider of broadband service after investing more than \$250 billion over the last two decades to build two-way interactive networks with fiber optic technology. Cable companies also provide state-of-the-art competitive voice service to more than 30 million customers.

² *See In re Advanced Methods to Target and Eliminate Unlawful Robocalls*, Further Notice of Proposed Rulemaking, 32 FCC Rcd 9706 (2017) (“*Further Notice*”).

³ *See id.* ¶ 9.

⁴ *See* NCTA Comments, CG Dkt. No. 17-59, at 3 (June 30, 2017).

In the *Further Notice*, the Commission seeks comment on two issues. First, it asks whether additional regulatory steps should be taken to address erroneous blocking.⁵ The cable industry agrees that erroneously blocked calls should be “unblocked as quickly as possible and without undue harm to callers and consumers.”⁶ We are hopeful that the occurrence of “false positives” in blocking consistent with the rules will be uncommon, given that “the types of calls that can be blocked are very limited.”⁷ The Commission has already encouraged voice service providers “to inform their customers about the features and risks of their own call blocking programs”⁸ and “to establish a means for a caller whose number is blocked to contact the provider and remedy the problem.”⁹ The Commission should allow the voluntary blocking rules to become effective and monitor voice service provider activity and consumer response and then determine whether, and what types of, additional rules may be necessary in the future. The Commission also should encourage voice service providers that engage in call blocking to provide contact information on their websites to assist consumers (and other voice service providers) with addressing erroneously blocked numbers.¹⁰

The *Further Notice* also requests comment on potential reporting obligations for voice service providers.¹¹ Such an obligation risks deterring provider participation in blocking and should not be adopted. A quarterly or annual reporting requirement as suggested in the *Further*

⁵ See *Further Notice* ¶¶ 57-58.

⁶ *Id.* ¶ 57.

⁷ *Id.* ¶ 47.

⁸ *Id.*

⁹ *Id.* ¶ 54.

¹⁰ Many voice service providers offer third-party call blocking services, such as Nomorobo, to their subscribers. The Commission should encourage such providers to provide contact information on their websites for these third-party services to assist consumers with addressing erroneously blocked numbers.

¹¹ See *Further Notice* ¶ 59.

Notice would be costly and burdensome, as would a mandate to publicly announce the number of calls blocked “each day/month/year.”¹² Moreover, it is unclear how voice service providers could comply with an obligation to measure “the quantity of false positives.”¹³ This is especially true in situations of false positives where the provider who serves the subscriber, and the provider blocking the call are different companies. For purposes of measuring the effectiveness of its rules, the Commission should continue to analyze and monitor data from the FCC’s Consumer Complaint Data Center.

As Chairman Pai explained when the voluntary blocking rules were adopted: “It is important to stress that today’s action is deregulatory in nature. We aren’t piling more rules upon industry. Instead, we’re providing relief from FCC rules that are having the perverse effect of facilitating unlawful and unwanted robocalls.”¹⁴ The Commission should stay the course and not adopt new mandates that risk creating disincentives to participation in voluntary blocking efforts by voice service providers.

Respectfully submitted,

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¹² *See id.*

¹³ *See id.*

¹⁴ *Id.* at 9755, Statement of Chairman Ajit Pai.